

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
April 20, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation -- Becky Botkin, Chaplain, Veterans' Administration Hospital
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Distinguished Service Citations
- Proclamations

PUBLIC AGENDA

- 1. Comments from Baha'i Community of Wichita.

UNFINISHED BUSINESS

- 2. CU-500 Conditional Use Request to Allow Vehicle Sales on Property Located at the Southeast Corner of Rock Road and Harry Street. (District II)

The City Council referred the item to the MAPC and CPO 2 on February 9, 1999, for reconsideration. (Deferred from April 6, 1999, because of moot vote by the Council.)

RECOMMENDED ACTION: Concur with the findings of the MAPC; approve the request subject to conditions;
OR deny the request.

- 3. Noise Ordinance for Entertainment District. (District VI)

It is proposed to amend the current noise standards for the Old Town District. The item was deferred from April 6, 1999, to allow time to meet with representatives in the Old Town District.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

4. Eaton Hotel Financing. (District VI)

The developer plans to take action to mitigate the portion of financing required for the Davis-Bacon Act related cost increase. (Deferred from April 6, 1999)

RECOMMENDED ACTION: Approve the financing and amendments to developer and grant Agreements, and authorize the Mayor to sign the necessary documents.

NEW BUSINESS

5. Petition to Pave 27th Street South Between Custer and St. Paul. (District IV)

A petition has been received to pave 27th Street South between Custer and St. Paul. The petition represents 55.6 percent of resident owners in the improvement district.

RECOMMENDED ACTION: Defer action on the Petition; or approve the Petition; adopt the Resolution; and authorize Staff to select a design engineer.

6. Capital Improvement Program - Street Improvements:

a. Harry Street Improvement from Webb to Greenwich. (District II)

The 1999 Capital Improvement Program includes a project to reconstruct Harry between Webb and Greenwich.

b. Thirteenth Street North Improvement, Rock Road to One-Half Mile East. (District II)

Sedgwick County is improving 13th Street, east of the City limits to K-96. It is proposed to coordinate the upgrade with the County project.

RECOMMENDED ACTION: Approve the project and first reading of the Ordinance

7. Performance Measures for Special Liquor Tax Allocations.

First quarter work product associated with the Special Liquor Tax Fund Transition Plan approved by the City Council on January 26, 1999, has been completed.

RECOMMENDED ACTION: Approve the 1999 provider funding and Contracts, and authorize the Mayor to sign.

8. Revised Ordinance for Economic Development Tax Exemption and Authorization of Second Five Year Tax Exemption Period - Excel Corporation. (District VI)

Under the City's Business Incentive Policy, Excel qualified for a 91.3% exemption for real and personal property, and 45.65% exemption for an additional five years on real property.

RECOMMENDED ACTION: Waive the current Business Incentive Policy; apply the previous Business Incentive

Policy which applied at the time of Excel's initial application; approve a second five year ad valorem tax exemption at 45.6% on real property only; and approve first reading of the Ordinance.

(11:30 A.M.)

9. Wichita Art Museum Board of Trustees Annual Report.

Under the terms/conditions of the agreement between the City and the Wichita Art Museum, Inc., the Board of Trustees is required to make an annual report to the City Council. Mr. Richard DeVore, President, will make the presentation of the 1998 Annual Report.

RECOMMENDED ACTION: Receive and file.

CITY COUNCIL AGENDA

10. Notice of Vacancy - Board of Park Commissioners.

One vacancy (Martz), due to his resignation, for a term expiring June 30, 1999.

RECOMMENDED ACTION: Appointment will be made May 4, 1999.

11. Appointment to CPO Northeast Neighborhood Council 1.

Savannah Williamson, 2256 North Estelle, has been nominated by CPO 1 to fill a vacancy in subdistrict 1.1.

RECOMMENDED ACTION: Make the appointment.

12. Approval of Council Member Gale's Travel, May 13-15, 1999, to Daytona Beach, Florida, to Attend NLC Public Safety and Crime Prevention Steering Committee Meeting.

RECOMMENDED ACTION: Authorize the travel expenses.

13. Proclamations:

-- KMUW-FM 50th Anniversary Day

-- Workers Memorial Day

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

CONSENT AGENDA

14. Report of the Board of Bids and Contracts Dated April 19, 1999.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts; and authorize the Mayor to sign.

15. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
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Edith Boede	Lil Mexico 1601 East Pawnee
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(Consumption off Premises)

Henry R. Waquespack	Kwik Shop #714 4711 South Seneca
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*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses, subject to Staff review and approval.

16.. Plans and Specifications:

- a. 27th Street North from the east line of Amidon to the west line of Coolidge Gilder's Court, Gilders Riverside, and Diamond Additions - ½ mile west of Amidon and 25th Street North. (472- 82888/764670/490569) Traffic to be maintained through construction. City Council approval date: 11/18/97. (District VI)
- b. Bullinger from the north line of 25th Street North to 120 feet north of the north line of 26th Street North Northwest Heights, Northridge, and Quaker Heights Additions - ½ mile west of Amidon and 25th Street North. (472-82943/765263/490628) Traffic to be maintained through construction. City Council approval date: 08/11/98. (District VI)
- c. Lateral 74, Main 17, Sanitary Sewer #22 to serve Unplatted Tract in Section 31, Township 26S, Range 1E - north of 33rd Street North, east of Amidon. (468-82917/743757/743757) Traffic to be maintained through construction. City Council approval date: 11/10/98. (District VI)
- d. Water Main Replacement in connection with Bayley Street Improvements. (448-89322/635557/768655) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District I)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., April 30, 1999.

17. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

18. Preliminary Estimates:

- a. 1999 contract maintenance preservative seal of asphalt streets - at various locations. (131540/706648/110000/405218) Traffic to be maintained during construction. City Council approval date: 10/13/98. (Districts II, III, IV, V, and VI) - \$183,860
- b. 1999 contract maintenance quickset slurry seal, curb and gutter repair, and crack sealing - at various locations. (131557/706648/110000/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 11/24/98. (Districts II and IV) - \$240,000
- c. 1999 enhanced maintenance poly patch joint repair of asphalt streets - at various locations. (706648-H/405218)

Traffic to be maintained through construction using cones and will be open at night. City Council approval date: 10/13/98. (Districts II and IV) - \$150,000

- d. Hayden from the east line of 135th Street West, east, southeast, and east to the east line of Hayden Circle, and on Sandtrap, from the east line of Hayden, north and west to the north line of Hayden; and Sandtrap Court, from the north line of Sandtrap, north to and including the cul-de-sac, on Hayden Court, east to and including the cul-de-sac, Auburn Hills Eighth Addition - south of Maple, east of 135th Street west. (472- 83063/765563/490674) Does not affect existing traffic. City Council approval date: 1/26/99. (District V) - \$411,000
- e. Links Street from the east line of 135th Street West, east, south, east, north and back west to the east line of 135th Street West and; Links Court from the north line of Links Street North to and including the cul-de- sac Auburn Hills Ninth Addition - south of Maple, east of 135th Street West. (472-83064/765564/490675) Does not affect existing traffic. City Council approval date: 1/26/99. (District V) - \$149,000
- f. Water to serve Lindsay's Orchard Addition - north of Pawnee, west of Maize. (448-89353/734914/470584) Does not affect existing traffic. City Council approval date 1/12/99. (District V) - \$38,000
- g. Storm Water Sewer #520 to serve Lindsay's Orchard Addition - north of Pawnee, west of Maize. (468-82944/751276/485163) City Council approval date: 1/12/99. (District V) - \$128,000

RECOMMENDED ACTION: Approve and file.

19. Minutes of Advisory Boards/Commissions:

Board of Health, 3-24-99
CPO Southeast 3, 4-8-99
CPO Southwest 4, 4-8-99
Public Art Advisory Board, 3-11-99
Wichita Airport Authority, 3-15-99
Wichita Public Library, 3-16-99

RECOMMENDED ACTION: Receive and file.

20. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

21. Report on Claims Allowed - March, 1999:

<u>Name of Claimant</u>	<u>Amount</u>
Mike Nelson	\$ 105.90
Joe Unruh	\$ 60.00
Barry Sumpter	\$ 500.00
Calvin Fox	\$ 100.00
Steven Kirk	\$ 263.26
Reflection Ridge Clubhouse	\$1,816.26
Angela M. Richey	\$ 250.00
Jeanette Branine	\$ 500.00
Stephen R. Alexander	\$ 293.29

RECOMMENDED ACTION: Receive and file.

22. Agreements/Contracts:

- a. Design services for water distribution system (448-89373) - MacArthur from West Street to Hoover (District IV)
- b. 25th Street Bridge at Chisholm Creek. (District VI)
- c. Professional services for groundwater remediation compliance. (District VI)

RECOMMENDED ACTION: Approve the agreements and Contracts, and authorize the Mayor to sign.

23. Edward Byrne Memorial Law Enforcement Assistance Grant Applications.

RECOMMENDED ACTION: Approve the grant application, and authorize the necessary signatures.

24. Repair or Removal of Dangerous and Unsafe Structures. (Districts I, III, and VI)

RECOMMENDED ACTION: Adopt the Resolutions setting the Public Hearing on June 8, 1999, at 11:00 a.m.

25. Electrical Improvements to the Equus Beds Water Supply Wells.

RECOMMENDED ACTION: Approve the project and authorize a Contract.

26. Resolution Establishing Order of Succession as Mayor of the City.

RECOMMENDED ACTION: Adopt the Resolution.

27. Unified Work Program for Fiscal Year 2000.

MAPC Recommendation: The Metropolitan Area Planning Commission approved the FY-2000 Unified Work Program (UWP) and enabling Resolution on March 25, 1999.

Staff Recommendation: Approve the attached FY-2000 UWP, and adopt the attached Resolution.

RECOMMENDED ACTION: Approve the FY-2000 UWP, and adopt the Resolution.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*Consent Items

*28. S/D 98-99 - Plat of Chappelle Addition Located on the East Side of Tyler, North of Maple. (District V)

____ MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the Mayor to sign; and approve first reading of the Ordinance.

- *29. Public Hearing V-2125 - Request to Vacate a Portion of Complete Access Control Located on the South Side of 21st Street North Between Tyler and Woodchuck, 8333 West 21st Street North. (District V)

MAPC Recommendation: Approve vacation of access control.

Staff Recommendation: Approve vacation of access control.

RECOMMENDED ACTION: Close the public hearing; approve the vacation order; and authorize the Mayor to sign.

30. Z-3314 - Zone Change from "TF-3" Two Family Residential to "LC" Limited Commercial, on Property Located Approximately 78 Feet East of the Northeast Corner of Stadium Drive and Grove. (District I)

MAPC Recommendation: Approve "NR" zoning, subject to Staff recommendations.

CPO Recommendation: Approve "NR" zoning, subject to Staff recommendations.

Staff Recommendation: Deny "LC", but approve "NR".

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC; approve the zone change to "NR"; and approve first reading of the Ordinance.
2. Return the application to the MAPC for reconsideration.

31. DP-241 - Request for the Approval of the Neville Property C.U.P.; and SCZ-0785 - Request Zone Change from "SF-6" Single Family Residential to "LC" Limited Commercial, Generally Located North of Kellogg and West of 167th Street West. (District V)

MAPC Recommendation: Approve the rezoning and C.U.P., subject to Platting.

CPO Recommendation: Deferred the request.

Staff Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC; approve the zone change and C.U.P., subject to Platting within one year and the recommended conditions; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; or
2. Return the application to the MAPC for reconsideration.

- *32. A 99-7 - Request the Annexation of Property Generally Located at the Northwest Corner of 127th Street East and Central Avenue. (District II)

RECOMMENDED ACTION: Approve the annexation request, and first reading of the Ordinance.

33. A 99-17 - Request the Annexation of Property Generally Located South of 21st Street North and East of K-96 Highway. (District II)

RECOMMENDED ACTION: Approve the annexation request, and first reading of the Ordinance.

34. A 99-8 - Adoption of a Resolution Establishing a Future Public Hearing on the Annexation of Eligible Properties Generally Located North and South of Kellogg and Maple, Between 119th Street West and 167th Street West to the City of Wichita, Kansas. (District V)

RECOMMENDED ACTION: Accept the service extension plan and adopt the Resolution.

Adjourn to Workshop.

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